

# Exhibit J

1  
2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK

4 -----X  
5 INTERNATIONAL BUSINESS MACHINES CORPORATION,

6  
7 Plaintiff,

8 v.

9 RODRIGO KEDE DE FREITAS LIMA,

10 Defendant.

11 -----X  
12 Case No. 7:20-CV-04573

13 VIDEOTAPED DEPOSITION OF

14 PAUL HOLLOWAY

15 Thursday, July 9, 2020

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19 Reported by:

20 Rebecca Schaumloffel, CLR, RPR, CCR-NJ

21 Job No: 181557  
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July 9, 2020

2:31 p.m.

Videotaped deposition of PAUL

Holloway, held remotely via LiveLitigation,  
before Rebecca Schaumloffel, a Certified  
Livenote Reporter, Registered Professional  
Reporter, Certified Court Reporter of New  
Jersey, and Notary Public of the States of  
New York, New Jersey, Delaware, and  
Pennsylvania.

1 P. HOLLOWAY

2 A. Yes.

3 Q. Have you directed anyone to gather  
4 information to prepare for your deposition  
5 today?

6 A. So when I had the conversations  
7 with my colleagues, we talked through some of  
8 the timelines, as I've already said, but  
9 that's the extent of it.

10 Q. Let's mark as the next document  
11 tab 3.

12 (Whereupon, HOLLOWAY Exhibit 3,  
13 LIMA'204 was marked for identification  
14 as of this date by the Reporter.)

15 MS. VELAZQUEZ: This is going to  
16 be Holloway Exhibit 3.

17 Q. If you just want to take a moment  
18 to review the document and let me know if you  
19 have questions or when you are ready to  
20 answer questions.

21 A. Yes, I have reviewed.

22 Q. Okay. And do you recognize this  
23 to be an email from Laura Leech to Mr. Lima  
24 dated February 6, 2019?

25 A. Yes.

1 P. HOLLOWAY

2 Q. And for the record this bears  
3 Bates LIMA '204. Did Ms. Leech report to you  
4 at the time of this email?

5 A. No.

6 Q. Okay. Who does she report to?

7 A. Shannon Urion.

8 Q. And does Ms. Urion report up to  
9 you?

10 A. No. She reports to Cortney Erin.

11 Q. Okay. In this email, Ms. Leech  
12 writes, "Our team is well aware of you and  
13 your strong reputation."

14 Do you see that, Mr. Holloway?

15 A. Yes.

16 Q. And who is the team that she is  
17 referring to?

18 A. The global executive talent  
19 acquisition team.

20 Q. How did Microsoft become aware of  
21 Mr. Lima's strong reputation.

22 A. I don't know specifically about  
23 this candidate and how we became aware of his  
24 reputation. I can tell you that we have a --  
25 an understanding for who our competitors are

1 P. HOLLOWAY

2 meetings.

3 Q. And why was Mr. Lima selected to  
4 interview with the President of Microsoft US?

5 A. So for context, we identify  
6 candidates in the market who we think could  
7 add value to Microsoft and who could enjoy a  
8 career at Microsoft. And we go through a set  
9 of meetings where we can help them understand  
10 our work and what it looks like at Microsoft,  
11 we can also do some assessments of them as  
12 well. And Kate Johnson is certainly one of  
13 the leaders who we use for those types of  
14 meetings. And that's why we would have  
15 proposed that he meet with her. And she is  
16 also one of our hiring managers in the  
17 commercial side of our business. So if  
18 opportunities come up, she may well be  
19 involved in those.

20 Q. At this time, was Microsoft  
21 considering potential roles for Mr. Lima in  
22 Microsoft US?

23 A. So for the way that we -- the way  
24 that we approach these types of interactions  
25 with candidates, we take a candidate first

1 P. HOLLOWAY

2 approach and we socialize with the candidate  
3 and we get to understand their career  
4 motivations, their strengths, etc. What --  
5 usually, at the time, there will be a small  
6 number of roles which we may be hiring for.  
7 And it may well be that there was a role that  
8 we thought he might be good for.

9 But this wasn't a case necessarily  
10 of there is one particular role. There may  
11 have been like a kind of get-to-know-you set  
12 of interviews which then we follow on with  
13 particular roles. So there were most likely  
14 a couple of roles that we would have brought  
15 up at the time that may or may not have been  
16 a fit and that we would have been assessing  
17 other candidates for as well.

18 Q. Okay. Is it fair to say that Mr.  
19 Lima was selected to interview with the  
20 President of Microsoft US for potential  
21 future roles at Microsoft US?

22 A. So potentially, yes. But, also,  
23 Ms. Johnson would have been a good person to  
24 assess his general leadership style for roles  
25 across Microsoft geographies.

1 P. HOLLOWAY

2 LIMA'306 was marked for identification  
3 as of this date by the Reporter.)

4 MS. KELLER: I am in the process  
5 of logging on. I got kicked off  
6 again. I will bring up tab 9 as soon  
7 as I am back on.

8 Q. I apologize, Mr. Holloway. It's  
9 the state of the world now.

10 MS. KELLER: You should be able  
11 to see it now.

12 MS. VELAZQUEZ: Yeah, thank you,  
13 Andrea.

14 Q. This is LIMA'306. It's an email  
15 from Vera Andrews to Rodrigo Lima, copying  
16 Laura Leech and herself. And the subject  
17 line is, "Confirming June 13-14 trip to  
18 Redmond. And need your travel records."

19 Do you see that, sir?

20 A. Yes.

21 Q. Did you review this document in  
22 preparation for your deposition?

23 A. I can't recall.

24 Q. And you see on the schedule here  
25 it has Mr. Lima to meet with Sue Bevington at



1 P. HOLLOWAY

2 8:30 in the morning on May 17, 2019 in New  
3 York City. Do you see that?

4 A. Yes.

5 Q. Did that meeting occur?

6 A. As far as I know, yes.

7 Q. Okay. You are designated as  
8 Microsoft's corporate representative on Mr.  
9 Lima's recruitment, correct?

10 A. Yes.

11 Q. And this email also goes on to  
12 interview -- to confirm other interviews at  
13 Microsoft headquarters on June 13th and 14th.  
14 Do you see that?

15 A. Yes.

16 Q. And at least at this point, Mr.  
17 Lima was scheduled to meet with Kate Johnson,  
18 the President of Microsoft US.

19 Do you see that?

20 A. Correct.

21 Q. And Chris Weber, the Corporate  
22 Vice President of Microsoft Small, Medium &  
23 Corporate Commercial Segments Worldwide,  
24 correct?

25 A. Yes.

1 P. HOLLOWAY

2 Q. And Justin Althoff, Executive Vice  
3 President of Worldwide Commercial Businesses?

4 A. Correct.

5 Q. And Satya Nadella, Microsoft's  
6 CEO?

7 A. Correct.

8 Q. He is also scheduled to meet at  
9 this time with Scott Guthrie, Executive Vice  
10 President for Cloud and Enterprise at  
11 Microsoft, correct?

12 A. Yes.

13 Q. That's an impressive list, would  
14 you agree?

15 A. This is a list of our leaders,  
16 yes.

17 Q. Okay. And how many interview  
18 candidates a year meet with a list of this  
19 caliber?

20 A. That's a good question. I don't  
21 have those figures to hand, but our leaders  
22 meet a lot of candidates. We represent a lot  
23 of candidates to our senior leaders. So it's  
24 not out of the ordinary for an executive to  
25 meet the leaders at this level.